

Amendments to the Drawings

Fig. 1B and Fig. 12 are amended, as shown in the marked up and replacement figures provided herewith.

R E M A R K S

I. Status of Application

Claims 1-6, 8-15, 17-26, 28-30, 32, 33, and 37-61 are pending. Claims 1, 12, 14, and 58 are amended. Claim 56 has been allowed.

The Examiner and his Supervisor are thanked for discussing the application with the undersigned attorney on September 17, 2009. At least certain of the amendments made herein and the prior art were discussed. It was agreed that at least claims 1, 22, and 37 were allowable over the cited prior art. The Supervisory Examiner stated that the application would be allowed or the Final Rejection would be withdrawn and a new Action issued.

II. Amendments to the Specification

Page 18, line 10 is amended to change "18" to --20--, to properly identify the lower ferromagnetic pole support, as shown in Fig. 1B, Fig. 3D, and Fig. 12, and described on page 7, lines 12-14, for example.

III. Amendments to the Figures

Fig. 1B to add a separate horizontal line above the lower ferromagnetic pole support 20, to better identify the floor 40, as described on page 8, lines 9-10.

Fig. 12 is amended to more clearly show the MRI assembly 200 in a conventional MRI room, as described on page 27, lines 3-5 ("the room 4 may be a conventional MRI room containing an Open MRI Assembly," in contrast to the room being defined by the MRI assembly). In particular, Fig. 12 has been amended to show the MRI assembly supported by the floor of the room, as is known in the art.

IV. Objection and Claim Rejections - 35 USC § 112

The Amendment dated December 11, 2008 has been objected to under 35 USC 132(a) as allegedly introducing new matter, for use of the term “a medical imaging device at least partially within the room.” Claim 22 has also been rejected under 35 USC 112, first paragraph, as allegedly failing to comply with the written description requirement because this term has allegedly not been described and is considered to be new matter.

It is respectfully submitted that this is not correct. The MRI assembly discussed throughout the specification is a “medical imaging device” and the positioning of the MRI assembly at least partially within a room is shown in Fig. 1B (showing the secondary ceiling 38 and the floor 40), for example, and described on page 8, lines 5-11 (a secondary ceiling 38 may be provided below the upper pole support 16 and a floor 40 provided over the lower pole support 20 (as amended above)), and on page 11, lines 11-17 (describing the secondary ceiling 38 below the top ferromagnetic plate 16), for example. In the Summary of the Invention, on page 5, lines 1-6, it is stated that: “The medical procedure may be MRI, in which case at least the imaging volume of an MRI assembly is within the room,” (emphasis added) which implies that at least some of the MRI assembly may not be in the room. In addition, on page 28, lines 8, it is stated that: “The present invention may also be useful with other types of medical procedures. For example, the present invention may be useful with other imaging procedures, such as computer aided tomograph (CAT) scans,” which further supports the use of the term “medical imaging device.

Therefore, the term “a medical imaging device at least partially within the room” is supported in the specification and is not new matter.

Withdrawal of the objection and the rejection are respectfully requested.

V. Claim Rejections - 35 USC § 103**A. Rejections over Kormos in view of August**

Claims 1, 2, 4-7, 9-11, and 37-55 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over U.S. Patent No. 6,198,285 (“Kormos”) in view of U.S. Patent No. 6,503,188 (“August ‘188”). It is again noted that it is believed that for at least certain of the rejections, the wrong August reference has been asserted.

1. Independent Claim 1

Independent claim 1, which defines a room for use in conducting medical procedures, comprising, in part, a “magnetic resonance imaging assembly” and a screen disposed, at least in part, within a volume defined by the magnetic resonance imaging assembly. The magnetic resonance imaging assembly comprises “first and second opposed ferromagnetic elements,” “first and second ferromagnetic pole supports connected to the first and second ferromagnetic elements,” and “first and second poles supported by the first and second pole supports.” Claim 1 further requires “a floor and a ceiling between” the first and second opposed ferromagnetic elements of the MRI assembly. The screen extends “a distance from proximate the first ferromagnetic element to proximate the second ferromagnetic element.” At least one storage means is provided “for storing at least a portion of the screen.

Neither Kormos nor August ‘188 show or suggest providing a floor and a ceiling between first and second pole supports of an MRI assembly, as in amended claim 1. An example of the claimed arrangement is shown in Fig. 1B and described on page 8, lines 5-11, and page 11, lines 11-17, for example. As discussed in the telephone interview on November 17, Fig. 1B, is being amended to more clearly show the floor 40 above the pole support 18. Such an arrangement is not possible with the MRI assembly of Kormos, where the MRI assembly is completely within the room.

In addition, claim 1 has been amended to require that the screen be disposed, at least in part, within a volume “between the first and second pole supports,” as shown in Fig 1B and Fig. 3A-Fig. 3C, for example. In Kormos, in contrast, the display/control terminal 24 is outside of the imaging volume and is connected to an external surface of the MRI scanning system 12 by an arm 28, as shown in Fig. 2. It is not between the pole supports of the MRI assembly in Kormos, as claimed. In the telephone conference of November 17, the Supervisory Examiner agreed.

Furthermore, as has also been previously argued, neither Kormos nor August ‘188 teach or suggest extending a screen and an image from a first ferromagnetic element to a second ferromagnetic element (which support the pole supports), as in amended claim 1. First, Kormos does not show the claimed first and second ferromagnetic elements, since Kormos is a different type of MRI assembly than that claimed. Second, the image shown in August is very small and a simple means of deployment suitable for such a small image, are disclosed. The roller system in August ‘188 could not be used to extend and image across a room to the claimed extent. There is not teaching or suggestion to do so or how to do so. Serial images on the same screen are not disclosed, either.

Claim 1 and the claims dependent upon it would not, therefore, have been obvious in light of Kormos and August ‘188. The dependent claims contain allowable subject matter, as well.

Withdrawal of the rejection and reconsideration of the claims are respectfully requested.

2. Independent Claim 37

Independent claim 37 defines a method of using a room for a medical procedure. Claim 37 requires “removably attaching a portion of a screen to a belt, the screen comprising a plurality of scenes, each scene comprising at least one image,” and “moving the belt to move the screen across a room to display a selected one of the scenes in the room.” (Emphasis added). As the

belt moves across the room, remaining portions of the screen are removably attached to the belt. (Emphasis added).

Neither Kormos nor August '188 teach or suggest providing a separate screen and belt, removably attaching a portion of the screen to the belt, moving the belt to move the screen across a room, and, "removably attaching remaining portions of the screen to the belt as the belt moves the screen across the room" as claimed. Neither do the other cited references. It is noted that claim 37 has also been rejected in light of Simson, as discussed further below, and it is believed that this rejection was not intended.

Withdrawal of the rejection and reconsideration of the claims are respectfully requested.

B. Rejections over Kormos in view of August '188 and Simson

Claims 3, 12-15, 17-26, 28-30, 32, 33, 37, and 57-64 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kormos in view of August '188 and U.S. Patent No. 5,493,802 ("Simson"). The rejection is respectfully traversed.

1. Claim 3

Claim 3 is dependent on claim 1 and is allowable because claim 1 is allowable, as discussed above.

Withdrawal of the rejection and reconsideration of the claim are respectfully requested.

2. Amended Independent Claim 12

Independent claim 12, which defines a room for use in conducting medical procedures, has been amended to require: "a magnetic resonance imaging assembly having an imaging volume, the magnetic resonance imaging assembly being at least partially within the room." Claim 12 also requires, in part, "a screen," and "a plurality of images on the screen." A track extends across at least a portion of the room. The track defines a groove for receiving a portion of the screen. Claim 12 has been further amended to replace the "means, at least partially within

the groove” by “a belt attachable to the portion of the screen, the belt being movable at least in part” within the groove.

Kormos and August ‘188 are discussed above. Simson discloses a scroll displaying mechanism comprising a motor 20 that causes rotation of a driving pulleys 5, 6, which rotate rollers 3, 4, around which the scroll 2 is wound. (Col. 2, lines 46-51). A “mounting frame apparatus 70” includes two “elongated support members 90, 91” which functions as guides to “provide tracking for the scroll to keep the currently displayed portion of the scroll in a substantially planar orientation for viewing.” (Col. 5, lines 47-54, col. 6, lines 14-20; Fig. 7).

None of the examples shown in August ‘188 use a track or “a track attached to at least a ceiling of the room, and extending across at least a portion of the room,” as claimed. Kormos does not discuss a “track” at all. In Simson, the two “elongated support members 90, 91” are attached to the “mounting frame apparatus 70,” not to a “ceiling,” as claimed.

In addition, neither Kormos, August ‘188, nor Simson show a belt attachable to a portion of the screen and at least partially within a groove for moving a screen through the groove, as claimed. In Simson, the means for moving the screen is a motor coupled to the rollers, outside of the groove. Belts in Simson drive the rollers but the belts do not move through grooves to move a portion of the screen through the grooves, as claimed.

Amended claim 12 and its dependent claims are therefore patentable over the cited art.

Withdrawal of the rejection and reconsideration of the claims are respectfully requested.

3. Independent Claim 22

Independent claim 22, which defines a room for use in conducting a medical procedure, requires, in part, “a medical imaging device at least partially within a room,” as discussed above. Claim 22 further requires a screen with at least one image. The screen is removably attachable to a belt by mating hook and loop material on the screen and hook and loop material on the belt.

Movement of the belt when the screen is removably attached to the belt causes removal of a remaining portion of the screen from the cartridge and movement of the screen along the track to display an image in the room, as well as “entry of a previously displayed portion of the screen into the at least one cartridge.” The track and the belt are configured to compress the hook and loop material on the screen against the hook and loop material on the belt to removably attach the remaining portion of the screen to the belt as the belt draws the screen into the track “and to remove the previously displayed portion of the screen from the belt prior to entry of the previously displayed portion of the screen into the at least one cartridge.”

August ‘188 does not show a track, as required by claim 22. Neither does Kormos. Simson does not show a screen removably attachable to and detachable from a belt and is otherwise configured as claimed. Simson’s reference to Velcro(R) in column 6, lines 49-62, does not at all relate to the attachment of a screen to a belt, but to adjustable positioning of the cartridge 100 in the cover 101. Simson states that the support member 105 is attached to the cartridge by screws 107, 108, and explains that:

separation between the cartridges is made adjustable by providing a plurality of holes 109, spaced along the support members. Other adjustable means for securing the members such as wingnuts engaging oblong holes, snaps, tongue/mortise style connectors or even VELCRO brand type fastening material may be used, as long as it is easily collapsible.

Neither Simson, Kormos, or August ‘188 show a screen attached to a belt by any means, or a screen attached to a belt by hook and loop material, as required in claim 22.

Neither Kormos, August ‘188, nor Simson show removal of a remaining portion of the screen from the cartridge and movement of the screen along the track to display an image in the room, by movement of the belt, nor do they show “entry of a previously displayed portion of the screen into the at least one cartridge” by movement of the belt, as is also required in claim 22.

These references do not show configuring the belt and track to compress the hook and loop

material on the screen against the hook and loop material on the belt to removably attach the remaining portion of the screen to the belt as the belt draws the screen into the track. They do not show removing “the previously displayed portion of the screen from the belt prior to entry of the previously displayed portion of the screen into the at least one cartridge,” either.

Claim 22 and the claims dependent upon it are, therefore, patentable over Kormos, August ‘188, and Simson. The Supervisory Examiner agreed.

The dependent claims include patentable subject matter, as well.

Withdrawal of the rejection and allowance of the claims are respectfully requested.

4. Independent Claim 37

Method claim 37, which is discussed above, requires “removably attaching a portion of a screen to a belt, the screen comprising a plurality of scenes, each scene comprising at least one image,” and “moving the belt to move the screen across a room to display a selected one of the scenes in the room.” (Emphasis added). As the belt moves across the room, remaining portions of the screen are removably attached to the belt. (Emphasis added).

As discussed above with respect to claim 22, neither Kormos, August ‘188, nor Simson show such limitations. Claim 22 and the claims dependent upon it are not, therefore, unpatentable over Kormos, August ‘188, and Simson. The Supervisory Examiner agreed.

The dependent claims include patentable subject matter, as well.

Withdrawal of the rejection and allowance of the claims are respectfully requested.

5. Claims 28-30 and 32-33

Claims 28-30 and 32-33 depend from independent claim 56, which is allowed. Therefore, claims 28-30 and 32-33 are also allowable.

Withdrawal of the rejection and reconsideration of the claims are respectfully requested.

C. Kormos, August '188 and U.S. Patent No. 5,917,395 ("Overweg")

Claims 8, 48, and 53 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kormos in view of August '188 and Overweg. Overweg shows an MRI system with a ceiling mounted illumination.

Claim 8 is dependent on claim 1. Claim 48 is dependent on claim 37. Claim 53 is dependent on claim 22. Since claims 1, 22, and 37 are patentable over the cited art, as discussed above, claims 8, 48, and 53 should also be patentable over the cited art. Claims 8, 48 and 53 contain allowable subject matter, as well.

Withdrawal of the rejection and reconsideration of the claims are respectfully requested.

D. Rejections over Kormos in view of August '188 and U.S. Patent No. 4,173,087 ("Saylor")

Claims 13 and 21 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kormos in view of August '188 and Saylor. Claims 13 and 21 are dependent on claim 12, which is patentable over the cited art, as discussed above. Claims 13 and 21 should, therefore, be patentable over the cited art, as well. Claims 13 and 21 contain allowable subject matter, as well.

Withdrawal of the rejection and reconsideration of the claims are respectfully requested.

VI. Conclusion

Withdrawal of the Final Rejection or allowance of the application in light of these Amendments and Remarks is respectfully requested.

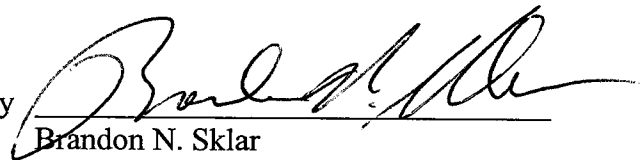
If the Examiner believes that any issues may be resolved over the phone or by Examiner's Amendment, please call the undersigned attorney.

Respectfully submitted,
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Date: September 24, 2009

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By

A handwritten signature in black ink, appearing to read "Brandon N. Sklar", is written over a horizontal line.

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